

The Gelasian Doctrine: Uses and Transformations

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In 494, pope Gelasius I wrote a long letter to the emperor Anastasius I, within which he remarked: "There are two things, august emperor, by which this world is chiefly ruled, the consecrated authority of bishops and the royal power."¹ Throughout the Middle Ages—certainly, say, from the ninth century till the thirteenth and beyond—anyone concerned with the relation between clerical and lay power was familiar with Gelasius's distinction between the "consecrated authority of bishops" (*auctoritas sacrata pontificum*) and the "royal power" (*regalis potestas*). When medieval writers repeated this statement, they were usually invoking, and often in the broadest possible way, the problem of monarchy and priesthood. For even when quoted as a brief dictum without its accompanying argument, Gelasius's assertion emblematically represented a concept of *regnum* and *sacerdotium*. That is, the statement commonly seemed to them a classic formulation of the ideal relation between the two powers. Indeed, without too much exaggeration, one can say that till about 1200 and at least in some respects thereafter, medieval political thought consisted of glosses on, and reactions to, Gelasius's doctrine.² Certainly, scholars have generally recognized the importance of Gelasius's role, and have written much about this assertion as well as about its subsequent influence.³

From the ninth century to the twelfth, Gelasius's statement reappeared often—and its meaning changed radically as various writers quoted, misquoted, paraphrased, and discussed it. Seen in these different contexts, the varying versions of the Gelasian formula serve as a kind of litmus paper, an indicator revealing the composition of the argument in which it was used. After examining Gelasius's more important statements on the relations of Church and monarchy, this study will briefly

sketch the transformation of Gelasius's ideas in the Carolingian period, but will concentrate on the transmission, interpretation, and influence of Gelasian texts during the Investiture Struggle.⁴

I | "DUO SUNT . . ."

In his letter to Anastasius, Gelasius's remark about the bishops' *auctoritas* and the emperor's *potestas* constituted merely the beginning of an extended argument:

There are two things, august emperor, by which this world is chiefly ruled, the consecrated authority of bishops and the royal power. Of these, the bishops bear a burden which is so much the weightier as they must render an accounting in the divine judgment even for the kings of mankind. You know, most clement son, that although you surpass the human race in dignity (*dignitas*), yet you devoutly bow your neck to those in charge of divine things, and you seek from them the means of your salvation. And hence you recognize that in the reception and proper administration of the heavenly sacraments, in the sphere of religion (*religionis ordine*), you must be subject, rather than rule. Therefore you realize that in these things you depend on their judgment, and you do not aim to bend them to your will. For so far as the sphere of public order (*ordo publicae disciplinae*) is concerned, the bishops themselves know that the imperial office (*imperium*) has been conferred on you by divine disposition, and they obey your laws lest they seem to oppose your authoritative decision in worldly matters. If so, with what zeal, I ask you, is it fitting and proper to obey those who have been charged with the administration of the revered mysteries?⁵

Though some of them disagree on particular aspects of Gelasius's thought, most historians regard this "Duo sunt" statement as the main evidence that Gelasius was a political dualist, advocating the equality and autonomy of the two powers.⁶ But a few historians consider Gelasius a hierocrat, whose theory, elaborated here and in other writings, subjected the imperial office to papal direction.⁷ Since much scholarly controversy has orbited around "Duo sunt", we must see what it says—and what it does *not* say.

The bishops' *auctoritas* and the emperor's *potestas* rule the world, but as the two forms of preeminence differ in character, they rule in quite different ways. The world which they jointly rule can be understood only as the Roman Empire. Gelasius assigned *auctoritas* to all bishops individually; but he did not attribute it to the institutional Church. Nor did Gelasius suggest here that the Roman bishop's *auctoritas* differs from that of his colleagues; indeed, the "Duo sunt" passage says nothing specifically about papal authority.⁸ Unlike the *regalis*

potestas, the *auctoritas* is holy: it is *sacrata*. The episcopal *auctoritas* controls the "order of religion", a preeminence which includes the administration of sacraments, and therefore a monopoly over the means of salvation. Within this sphere, consequently, the bishops exercise a form of "judgment" (*iudicium*) even over emperors. And in this respect, bishops bear a "weightier burden" of responsibility (*gravius pondus*) than emperors, since they are accountable to God for the emperor's soul; here, the double meaning of *pondus* ("influence" or "authority", as well as "weight" or "burden") reinforces Gelasius's exalted conception of the pontifical *auctoritas*. The Petrine "power of binding and loosing" thus forms a central component of this *auctoritas*. In the religious domain, therefore, an emperor must show not only respect but also obedience to the bishop. Still, here Gelasius claimed no right to judge the emperor in any worldly matters, or to coerce in any way an emperor who refused the requisite obedience.

As a man the emperor needs the priest's sacraments, and therefore in the "order of religion" the prince is subject to the pontiff. With his reference to the *regalis potestas*, however, Gelasius was indicating the emperor's office, rather than his person, and he recognized that God had bestowed the office. Indeed, as ruler, the emperor holds the supreme "dignity" on earth. Hence Gelasius accepted the emperor's unqualified jurisdiction over bishops in the "sphere of public order", as well as in the bishops' obligation to obey imperial laws.

Did Gelasius intend, using *auctoritas* and *potestas* as authoritative technical terms, to construct a constitutional language that could define and shape the relations between the Church and the emperors? Though his diction in the letter to Anastasius, and his thought in general, owe something to Roman law,⁹ the duality *auctoritas-potestas* cannot be found in Roman law. On the other hand, this duality had a long history stretching back into the constitutional terminology of the late Republic and early Principate,¹⁰ but it is scarcely credible that in his phrasing Gelasius adopted a tradition so remote from the realities of 494. Rather, he would have found the key terms *auctoritas* and *potestas* most readily in purely ecclesiastical traditions with which, as the leading clerk in the chancery of Felix III, he was already familiar before his accession, and he may have noticed Leo I's distinction between *auctoritas sacerdotalis* and *imperialis potestas*.¹¹ In fact, however, Gelasius used a widely varying terminology for references to the episcopal, papal, and imperial offices. Most tellingly, he even reversed the formulation of "Duo sunt", mentioning an imperial *auctoritas* and a pontifical *potestas*, and elsewhere referred neutrally to the "two powers".¹² This diversity in his constitutional diction can, of course, be explained as elegant variation according to the rhetorical norms of the fifth century, for Gelasius deployed

these stylistic devices with mastery and bravura. Yet his key terms were probably something more than a simple rhetorical antithesis, for in his argument the language is remarkably congruent with the thought.¹³ That Gelasius also used other terminology elsewhere proves only that he did not attempt to create, and did not believe that he had created, a fixed constitutional language: Gelasius's formulation had not yet become a formula.

But another Gelasian argument throws further light on "Duo sunt". In a treatise on excommunication, the *Tomus de anathematis vinculo*, Gelasius addressed the same question from a different perspective. Indeed, the texts supplement each other so indispensably that one should consider only the two together as constituting Gelasius's doctrine on the relation between *imperium* and *sacerdotium*.

Before the coming of Christ, certain men, though still engaged in carnal activities, were—in a prefiguring way (*figuraliter*)—kings and priests at the same time. Sacred history reports that holy Melchizedek was such. Among his own, the Devil imitated this, since he always strives in a spirit of tyranny to claim for himself those things which belong to divine worship, so that pagan emperors were called also supreme pontiffs (*maximi pontifices*). But when He came who was the true king and pontiff, thereafter the emperor did not assume the title of pontiff, nor did the pontiff claim the royal dignity. . . . Mindful of human frailty, Christ regulated with marvelous direction what would serve the salvation of his people. Thus He separated the offices of the two powers (*officia potestatis utriusque discrevit*) in accordance with their own functions and separate dignities (*actionibus propriis dignitatibusque distinctis*), wanting his people to be saved by a healing humility, and not snatched away again by human pride, so that Christian emperors would need pontiffs for eternal life, and pontiffs would use imperial regulations for the conduct of temporal affairs. Thus spiritual activity would be set apart from carnal encroachments, and on that account he who serves God would not be involved in secular matters. And on the other hand, he who was involved in secular matters would not seem to preside over divine things, so that the humility of both orders (*utriusque ordinis*: emperors and pontiffs) would be preserved, with no one being exalted in both ways, and so that the profession of both orders would be especially fitted to the character of their functions.¹⁴

In "Duo sunt", one can discern Gelasius's conviction that the pontifical *auctoritas* and the royal *potestas* are separate and distinct offices, but the idea lies just beneath the surface: he does not state it. In the *Tomus*, however, it has become explicit. To furnish theological support for this separation, Gelasius invented a myth, a narrative giving order and intelligibility to the political realm. He contrasted the Old Testament, in which "holy Melchizedek" was both king and priest,¹⁵ with pagan Rome, where the Devil inspired the emperors to assume the office

of *pontifex maximus*. But Melchizedek had prefigured Christ, "the true king and priest", who decreed that Christians should never hold both titles: to foster humility "He separated the offices of the two powers" according to their "functions" and "dignities". It was bad history—for Christian emperors retained the title *pontifex maximus* till Gratian finally jettisoned it—but a brilliant myth.

Gelasius's assertion that a Christian emperor cannot be a priest constitutes another of the links between "Duo sunt" and the *Tomus*. In late fifth-century Constantinople, such adjectives as *sacer* or *sacratissimus*, commonly applied to the emperor's person and to things associated with him, emphasized the numinous quality of his office, and the Church had long been willing to accept this usage.¹⁶ In Italy and the West during this period, however, epithets of sacredness were becoming a monopoly of bishops. In this context, the Gelasian contrast between the pontiffs' *sacrata auctoritas* and the emperor's unsanctified *potestas* assumes special significance. Like his denial of priestly status to the emperor, Gelasius's formulation in "Duo sunt" reflected a tendency to secularize the conception of monarchy.

Indeed, Gelasius's separation of kingship and priesthood struck at a central premise of contemporary political thought. For within Christian thought generally from Constantine to Justinian and beyond, the emperor was regarded as "king and priest", as God's governing representative on earth. He therefore had specifically ecclesiastical, religious, and spiritual duties, obligating him to participate actively in the most sensitive areas of the Church's life—in decisions about dogma, for example, in the appointment of bishops, or in the repression of heresy. So long as the emperor was perceived as supporting the cause of orthodoxy, no one complained. Or at least only heretics complained of the emperor's role. But as soon as an emperor personally embraced a heresy (like Constantius II, for instance), or when an orthodox emperor protected the religious rights of pagans, heretics, or Jews (here, Theodosius the Great and Valentinian II serve as examples), resistance might crop up. A comparable crisis—the Acacian schism between the churches of Rome and Constantinople—preoccupied Gelasius throughout his brief pontificate.

Since Gelasius faced an openly schismatic emperor in Constantinople, he had ample reasons for resistance. Yet evidently he never seriously considered excommunicating Anastasius, and did not even think it possible to accuse an emperor publicly.¹⁷ Moreover, for a document that has sometimes been regarded as revolutionary, his letter to Anastasius in 494 is curiously polite. He begins, "As though a born Roman, I love, cherish, and respect the Roman emperor".¹⁸ Within that letter, he tactfully avoided mentioning the classic historical precedent for

resistance to a monarch by a high prelate: Ambrose's imposition of penance on Theodosius the Great. In fact, Ambrose himself had not regarded Theodosius's acceptance of ecclesiastical discipline as the Church's political victory over an emperor; rather, he saw it simply as the penance of a sinner.¹⁹ Nor, apparently, did anyone give the incident an explicitly political interpretation before the 490s. But Gelasius mentioned the event in a letter to the Dardanian bishops: "Ambrose . . . publicly and openly suspended emperor Theodosius the Elder from communion, and brought the royal power to penance."²⁰ Here, as he often did, Gelasius buttressed his argument with an historical *exemplum*, and he was evidently the first to use this story in a clearly political sense.²¹ Still, the mention of Ambrose and Theodosius appeared in a list of *exempla* illustrating the courage of prophets and prelates in the face of rulers: the *exemplum* shows Ambrose's courage in resisting an emperor, rather than his exercise of a jurisdictional "power of binding and loosing" an emperor. Thus the story was designed to condemn Acacius (who had failed to show such courage), perhaps also to stiffen the Dardanian bishops' resistance to Anastasius's religious policy, but not to suggest that anyone expected Anastasius to repent or entertained the idea of excommunicating him.²² Moreover, one should not place much weight on the remark that Ambrose "brought the royal power to penance", for the statement does not conceal a claim to authority over the imperial office. On the contrary: this reference to the *regia potestas* represents the familiar rhetorical device of metonymy; the *regia potestas* was the emperor's *person*, since an office cannot perform penance. In short, *regia potestas* in the letter to the Dardanian bishops cannot be interpreted as identical to the *regalis potestas* of the letter to Anastasius,²³ where the latter phrase indicates the imperial office.

Clearly, Gelasius was not prepared to follow in Ambrose's footsteps: he did not actively resist either Anastasius in Constantinople or Theoderic in Italy. Yet one finds curious tensions within his thought. When he maintained that the emperor may not subject a bishop to criminal proceedings even for high treason, he was perhaps inconsistent; still, this assertion of the *privilegium fori* scarcely constituted a claim to dominion over the imperial office.²⁴ Other Gelasian letters, however, contain arguments which seem, at first glance, irreconcilable with "Duo sunt" and the *Tomus*. For example: "Christian princes customarily submit to the decrees of the Church, and do not set their own power above them. The prince customarily bows his head to bishops, and does not judge them in capital cases."²⁵ Wrenched from its context, the statement suggests, at the very least, hierocratic tendencies. But the passage appeared in a letter to some bishops whom Gelasius reproached:

they should have complained to the emperor, he asserted—and this passage formed part of the complaint which they should have made. In its context, obviously the passage had a defensive purpose and meaning.

The character of Gelasian argument becomes clearer in a different letter, written while Gelasius was still a deacon in Felix III's chancery:

The emperor . . . is the son, not the ruler, of the Church. It is fitting for him to learn, not to teach, what pertains to religion. He has the prerogatives of his power, which he received from above for the administration of public affairs; and grateful for his benefits, he should usurp nothing against the disposition of the celestial order. For God wanted those things which the Church must administer to pertain to priests, not to the secular powers. If the secular powers are faithful (Christians), God wanted them to be subject to his Church and to its priests. For (the emperor) should not claim another's right, nor an office which has been assigned to another. . . . The Lord . . . wanted priests to be installed and tried and—when they return from error—readmitted by bishops and priests, not by public laws, not by the secular powers. Christian emperors must subject the execution of judicial proceedings to ecclesiastical leaders, not impose it upon them.²⁶

Such a statement can be read—and, in the later Middle Ages, was sometimes read—as a radical assertion of direct ecclesiastical authority over the emperor.²⁷ But if one construes it in this way, it contradicts Gelasius's central doctrine on *imperium* and *sacerdotium*, and it conflicts strikingly with Gelasius's conciliatory policy toward the schismatic emperor in Constantinople. In this letter, the claims of the prelates' superior dignity have been pushed to the limit, but they do not imply jurisdictional authority over the emperor, and in part are quite traditional. Ambrose had already remarked that the emperor is the "son of the Church", and did not therefore consider the *imperium* subject to the *sacerdotium*.²⁸ Though the designation of the Roman pontiff as *papa* or of the Church as *mater* was commonplace by the late fifth century,²⁹ one cannot translate an honorific title or an ecclesiological epithet into the hard rights and responsibilities which jurists assigned to the Roman *paterfamilias*.³⁰ An earlier decretal had contrasted *discere* and *docere*,³¹ yet Gelasius himself had been the first to direct this antithesis to an emperor: the emperor must learn, rather than teach, about "holy things" (*sacrosancta*).³² For an evaluation of Gelasius's thought, however, the crucial claim lies in two assertions: that "God wanted . . . the secular powers . . . to be subject to his Church and to its priests" (*deus . . . seculi potestates . . . ecclesiae suae et sacerdotibus uoluit esse subiectas*), and that the emperor's "prosecution of a complaint" or alternatively "execution of a judicial sentence" (*exsecutio*)³³ must be

subject to bishops. But in the former assertion, Gelasius was discussing only the realm of "those things which the Church must administer" (*quae ecclesiae disponenda sunt*); in the latter, only the appointment of bishops and hearings of clerics charged with heterodoxy. Again, the defensive tone is unmistakable: emperors "should not claim another's right". Here again, Gelasius was discussing, and opposing, imperial intervention into what he perceived as purely ecclesiastical affairs. Especially, the emperor must not judge questions of orthodoxy, nor can his recognition of (or refusal to recognize) a bishop as orthodox bind the Church or the papacy, which will decide the matter authoritatively. Thus, even before becoming pope, Gelasius distinguished sharply between the Church's autonomous realm and the emperor's, and his statements about the emperor's subjection to the Church refer exclusively to the ecclesiastical sphere, "that which pertains to religion". In this letter, Gelasius regarded the separation and autonomy of *imperium* and *sacerdotium* as a "divinely decreed order" (*dispositio celestis ordinis*), within which God has entrusted to the emperor the "administration of public affairs". But within the purely ecclesiastical sphere, Gelasius demanded that the emperor refrain from uninvited intervention, comply with the Church's orders, and carry out what the Church has decided. All this raised, of course, a question which "Duo sunt" and the *Tomus* had failed to answer, for neither of these provided a detailed scenario on the relations between *imperium* and *sacerdotium*: what are the boundaries of the ecclesiastical sphere? In reply to this question, Gelasius insisted that bishops, and particularly the vicar of St Peter, must draw the line between the secular and the religious.³⁴ To sum up: Gelasius's claims for the purely ecclesiastical sphere remain congruent with "Duo sunt" and the *Tomus*.³⁵ Indeed, they apply to specific problems the broad principles elaborated, on a higher level of generality and abstraction, in the *Tomus* and the letter to Anastasius.

Neither in Rome nor in Constantinople did Gelasius's contemporaries and successors perceive his ideas as marking a break with the past.³⁶ His deference to the emperor, his respect for the imperial majesty were fully traditional. Among his ideas on the *imperium*, indeed, one can regard his denial of the emperor's priestly status as his only attack on traditional and contemporary views.³⁷ Yet contemporaries may not have grasped the *Tomus*'s implications, or may even have been unaware of its existence. One of Gelasius's successors crudely paraphrased "Duo sunt",³⁸ but apart from this the papal chancery apparently forgot about "Duo sunt" for almost 250 years, and about the *Tomus* for more than 350 years. Soon after Gelasius's death, in fact, pope Anastasius II humbly addressed the emperor as God's "vicar" in the fulfillment of "evangelic and apostolic precepts": a clear repudiation of

Gelasius's doctrine in the *Tomus*.³⁹ And other voices attest that the sixth century still generally accepted the conception of the emperor as king and priest.⁴⁰

Despite its disappearance for more than two centuries, there were good reasons for the Gelasian doctrine's eventual return and for its wide influence. In his remarks on the *imperium*, Gelasius used various expressions for governance: *regalis potestas* designated the imperial office, but *ordo publicae disciplinae*, *res mundanae*, and *res publicae administrandae* indicated the broad scope of imperial government. By implication, these terms included political rule over society, direction and administration of the State, and more explicitly, making and enforcement of laws. But in "Duo sunt" and other statements on *imperium* and *sacerdotium*, the pontifical authority has little to do with government in these traditional senses. Since Gelasius wanted to avoid the full weight of the imperial power in the settlement of theological questions and sought a larger freedom for the pontifical authority in such matters, the negative side of his doctrine acquired sharp focus: the emperor must not intervene. On these questions, thereby, his horizon included only the aspiration to ecclesiastical autonomy in the formulation and enforcement of orthodoxy, and in judicial proceedings against clerics. Though these claims could be considered the essentials in the Church's jurisdiction over the clergy, one could scarcely regard them as comparable to the imperial government. Yet Gelasius maintained that "this world is chiefly ruled" by the pontifical *auctoritas* and the royal *potestas*, and his *Tomus* separated the "offices of the two powers". Because he evidently did not envision any substantive ways in which the episcopate would share the governance of "this world", his references to "rule" and to the "two powers"—like his story about Christ's separation of the two "offices"—constituted a fiction.⁴¹ Still, even though he did not attribute concrete governmental powers to the pontifical *auctoritas*, he nonetheless created the notion that the Church shares, as an equal and coordinate partner of the emperor, in the world's governance. It was only in this respect that Gelasius went beyond the claims of predecessors like Hosius of Cordova and Ambrose in their defenses of the Church's *libertas*, and beyond Augustine.⁴² And precisely this idea proved to be, in the long run, the most durable as well as the most attractive innovation of Gelasius's doctrine on the "two powers". The idea of the two coordinate ruling powers was an ingenious fiction in the late fifth century—but beginning in the ninth century, it was interpreted literally, as an institutional reality.

II | THE TWO POWERS IN THE ECCLESIA

Just as the Acacian schism inspired the formulation of Gelasius's doctrine, another conflict between Rome and Constantinople—the Iconoclastic Controversy—inspired the first reappearances of “*Duo sunt*”. Still, when two eighth-century popes quoted the Gelasian statement, they cited its author simply as “a certain learned and venerable father”.⁴³ But by the early ninth century, Gelasius's name had acquired high authority.⁴⁴ When the Frankish episcopate met in 829 to formulate a sweeping program of reform, Gelasius's dictum furnished a theoretical justification for the episcopate's role in the reform, and for the bishops' attempt to resist monarchical encroachment on clerical prerogatives and ecclesiastical property. Evidently under the leadership of bishop Jonas of Orléans, the synod of Paris quoted (or rather, misquoted) the text: “There are two . . . august empresses by which this world is chiefly ruled, the consecrated authority of bishops and the royal power”, concluding with Gelasius's remark on the bishops' “weightier burden”.⁴⁵ More crucial than the misquotation, however, was the synod's explanation of Gelasius's statement: “We know that . . . the body (*corpus*) of the entire holy Church of God is divided chiefly between two exalted persons”, that is, between the bishop and the king. With this explanation, Jonas and the other bishops certainly did not envision a hierocratic domination over the monarchy, for thereafter the synod's *acta* cited Fulgentius with approval: “In the Church no one appears superior to the bishop, and in the world no one loftier than the Christian emperor.”⁴⁶ Here, Jonas of Orléans decisively transformed the meaning of the Gelasian text in three respects: first, he explained the “world” as identical with the *ecclesia*; second, repeatedly referring to the *ecclesia* as a *corpus*, he conceived the *ecclesia* through an organological metaphor or even, one might say, in quasi-corporational terms;⁴⁷ and third, as we see from the synod's reform program, he viewed the episcopate's responsibility as truly governmental, that is, as the duty of formulating governmental policy for the laity as well as the clergy. In another work, Jonas stated that the episcopate holds not merely the Gelasian “power of binding and loosing”, but a higher rank than the king within the *corpus ecclesiae*.⁴⁸ In these regards, the application of Gelasius's formula—and by 829 his text has evidently become familiar and authoritative—reflected a new and central characteristic of Carolingian political thought: the conviction that the *ecclesia* itself is the fundamental unit of society and government, within which the clerical and lay hierarchies rule jointly. “The world is the *ecclesia*”, as pope Nicholas I remarked in another context.⁴⁹ Thereby the *ecclesia* had not only replaced the

Gelasian *mundus* and its institutional counterpart, the Christian Roman Empire, but has also subsumed the Frankish *regnum*, for in the sense of "kingship" or "monarchy" *regnum* thus became a constituent or component of the Church.⁵⁰ Since the Franks had largely lost the Roman notion of the State as an abstract juridical fiction governing within fixed territorial boundaries, and since they sought a fully Christian definition for the institutional framework of their society, it is not surprising that the quasi-corporational concept of *ecclesia* provided a substitute for the idea of State. Here, the important point is that Jonas's interpretation of the Gelasian text created an authoritative statement of this Carolingian view.

After the synod of Paris, "Duo sunt" was frequently invoked to support the political ideas of the Frankish episcopate. During the second quarter of the ninth century, moreover, the *Tomus* surfaced again, and Carolingian prelates quickly recognized its ideological kinship to "Duo sunt". At the synod of Thionville in October 844, attempting to reestablish peace, the bishops admitted that the Church had been "entrusted for its governance" to kings, but they understood this task of governance in the sense of protection rather than of rule and dominance. So that the episcopate could share effectively in the government of the *populus*, the bishops demanded that the vacant bishoprics—vacant because of the political turmoil—be filled without simony. They supported this demand by combining the political theology of the *Tomus* with the Carolingian interpretation of "Duo sunt": "From Him who alone could rightly become both king and priest, you well know that the Church is ordered in such a way that it is governed by the pontifical authority and the royal power."⁵¹ Here, for the first time, one sees a consciousness of the connection between the two texts.

At the synod of Fismes in 881, Hincmar of Reims demonstrated even more fully the unity of the two, for he reworked the passages on *regnum* and *sacerdotium* from the letter to Anastasius and the *Tomus*, fusing them into a single argument. Significantly, however, Hincmar inserted a new element into the discussion: "The dignity of pontiffs is so much the greater than that of kings, since kings are anointed into the royal office by pontiffs."⁵² With this remark, Hincmar transformed his new version of the Gelasian doctrine into a commentary on the Carolingian tradition of anointed kingship, which the dynasty's accession in 751 had inaugurated. In appropriating the *Tomus's* text, he may have recalled earlier tendencies to see Frankish rulers in the double role of *rex et sacerdos*. But as the principal architect of Frankish rituals for royal anointment and as a central participant in such ceremonies, he undoubtedly knew that royal anointment set the king apart from other laymen, and that contemporaries could interpret it as conferring on the king a

priestly character. Still, Hincmar did not draw the final consequence at Fismes, for from his reworking of Gelasius's texts he inferred only the superior dignity of pontiffs, but not their jurisdictional authority over monarchs.

The Carolingian view that the two powers rule within the *ecclesia* remained virtually unchallenged till the Investiture Struggle, and it survived far into the twelfth century. Presupposing this conception of the *ecclesia*, ninth-century citations of "Duo sunt" expressed the aspirations of the Frankish episcopate. But as we shall see, beginning in the mid-1070s, whenever "Duo sunt" was linked to this Carolingian ecclesiology, the Gelasian dictum acquired yet another meaning, and served to defend royal prerogative.

III | GREGORY VII

Though rarely cited between the early tenth century and the accession of Gregory VII in 1073, Gelasius's statements on the two powers quickly gained currency in the Age of Reform, as conflict broke out between the papacy and the principal monarchies. During the protracted struggles, both sides frequently quoted or invoked "Duo sunt", and the *Tomus* again played a role, though a smaller one than "Duo sunt". The prominence and ubiquity of Gelasius's statements can be understood only as a consequence of their new value to the participants in the momentous conflict so inadequately termed the Investiture Struggle. But just as the Carolingians construed Gelasius's statements in the light of their own assumptions about the *ecclesia*, the reformers of the late eleventh century and a few of their opponents radically reinterpreted Gelasius. By the 1080s, one can argue, their disagreements over the meaning and implications of the Gelasian doctrine reflected some of the central issues, and the wide diversity of views, in the Investiture Struggle.⁵³

As its most important vehicle of transmission, the Pseudo-Isidorian Decretals rendered the letter to Anastasius widely accessible.⁵⁴ But even apart from this tradition, in the eleventh century the "Duo sunt" *sententia* was probably still a commonplace. And until the outbreak of the Investiture Struggle, the meaning of Gelasius's dictum seemed clear. Whether quoted in an imperial charter,⁵⁵ or, in less mundane contexts, paraphrased by Peter Damiani in the service of the Reform,⁵⁶ "Duo sunt" implied familiar principles: the functional separation and distinctness of the two powers, their interdependence, and their obligation to cooperate with each other. By the mid-1070s, the reformer who compiled the canonical *Collection in 74 Titles* had included "Duo sunt"

as one of his excerpts,⁵⁷ and there is no reason to believe that he interpreted the *sententia* differently. Moreover, Gregory VII knew "Duo sunt". For his knowledge of Gelasius's text, however, Gregory did not depend on the *Collection in 74 Titles*, whose compiler differed markedly from Gregory in his vision of the Reform and of its goals.⁵⁸ In a letter of 1073 and another from 1080, Gregory appropriated the language of "Duo sunt", and apparently still accepted traditional views of its meaning.⁵⁹ But at the turning-point in his struggle with king Henry IV, Gregory's understanding of the Gelasian dictum changed radically.

On 15 March 1081, Gregory wrote his second letter to bishop Herman of Metz.⁶⁰ As its principal purpose, the letter aimed to refute "the madness of those who, with impious tongues, babble that the authority of the Holy and Apostolic See could not excommunicate king Henry".⁶¹ Long and justly famous, the letter is a manifesto summarizing Gregory's main theological, canonical, and historical arguments for the subordination of the laity to the clergy. There, Gregory quoted Gelasius's letter to Anastasius, leaving out crucial parts of Gelasius's original text (the Gelasian passages omitted by Gregory appear in parentheses):

To the emperor Anastasius, pope Gelasius . . . said: "There are two things, august emperor, by which this world is chiefly ruled, the consecrated authority of bishops and the royal power. Of these, the bishops bear a burden which is so much the weightier as they must render an accounting in the divine judgment even for the kings of mankind." And with a few things interposed, he says: "You know, (*most element son, that although you surpass the human race in dignity, yet you devoutly bow your neck to those in charge of divine things, and you seek from them the means of your salvation. And in the reception and proper administration of the heavenly sacraments, in the sphere of religion, you recognize that you must be subject, rather than rule*) therefore, that in these things you depend on their judgment, and you do not aim to bend them to your will."⁶²

To say the least, the omission is tendentious. Gelasius had asserted merely that "in the sphere of religion" (*religionis ordine*), in the reception of the "heavenly sacraments", and to secure salvation, the emperor depends "on the judgment" of bishops. But Gregory has dropped Gelasius's careful qualification—and has passed over Gelasius's respectful reference to the emperor's preeminent "dignity". By choosing to end the quotation where he did, moreover, Gregory has omitted Gelasius's immediately subsequent remarks on the divine origin of the imperial office and on the higher clergy's willing obedience to imperial law. In short, the omission transforms Gelasius's statement, renders it a claim to virtually unlimited jurisdiction over the emperor. But the context further clarifies Gregory's intent. Just before the quotation from Gelasius, Gregory had argued that monarchy "took its origin . . . in pride, plunder,

treachery, murder—finally, in practically all of the world's crimes", and that the "priests of Christ" are the "fathers and teachers of kings and princes and all the faithful".⁶³

If Gregory's omission was tendentious, the conclusions which he drew from the shortened text were sensational. Immediately after the quotation from Gelasius, Gregory pointed out that "many pontiffs" have excommunicated kings and emperors, then cited three historical (or pseudo-historical) examples.⁶⁴ First, pope Innocent I excommunicated the emperor Arcadius. Second, "another Roman pontiff" deposed the Merovingian king Childeric III, released the Franks from their oaths of fealty to him, and "substituted Pepin, the father of Charlemagne, in his place". And third, Ambrose excommunicated the emperor Theodosius. Though Gregory described the excommunications as a consequence of wrongdoing, he explained that the pope had deposed the last Merovingian "*not so much because of his iniquities as because of the fact that he was incapable of using such power*".⁶⁵ Gregory concluded this portion of his argument by quoting a pseudo-Ambrosian work in which the superiority of the episcopal dignity over the royal is likened to the "brilliance of gold" in comparison with lead. (To have matched Gelasius's two powers with pseudo-Ambrose's two metals was an elegant rhetorical stroke.) For you may see "the necks of kings and princes bowed to the knees of priests" (with this passage from pseudo-Ambrose, Gregory has evoked the image of the penitent Theodosius), and nothing can be found "in this world more excellent than priests, nothing loftier than bishops".⁶⁶

With his three *exempla*, Gregory was less interested in the possible parallels between Henry IV and the three monarchs (for there was none between Henry and the "useless" Childeric) than he was in the pertinence of these three cases to his own actions in 1076 and 1080. Taken together, the three precedents corresponded exactly to—and provided an historical justification for—Gregory's revolutionary act in February 1076, repeated with minor variations in March 1080, when he excommunicated king Henry, stripped him of the right to rule,⁶⁷ and absolved his subjects from their fealty. In 1076 and 1080, he had explicitly based his right to perform these juridically distinct acts—excommunication, deposition, and dissolution of oaths—on his own Petrine *potestas ligandi et solvendi*.⁶⁸ Then in 1081, he cited Gelasius's *sententia* as a classic and authoritative formulation of the Roman pontiff's "power of binding and loosing" an emperor and his subjects, for even in the shortened form quoted by Gregory, "Duo sunt" clearly concerns the *potestas ligandi et solvendi*. Thereby the three historical *exempla* demonstrate concretely how Gregory interpreted Gelasius's statement that the emperor depends "on the judgment" of pontiffs. But with the example

of Childeric's deposition and the oaths of fealty, Gregory extended the *potestas ligandi et solvendi* far beyond its traditional meanings, beyond the power to remit or retain sins and to impose penalties for sin.

Thus the letter of 1081 marks the difference between Gelasius and Gregory: Undoubtedly Gelasius assumed that morally and in religious terms the bishop, bearing the *gravius pondus*, is superior to the monarch; the notion certainly became more explicit in Carolingian thought. For Gregory, the gulf between clergy and laity has become enormous: as a "spiritual emperor", a mere exorcist has "greater power" than the most exalted layman.⁶⁹ For both Gelasius and Gregory, the "power of binding and loosing" furnished the key to—indeed, constituted the foundation of—the episcopate's relation to monarchs. But Gelasius confined the Church's right of judgment to sacramental matters and to the *ordo religionis* in general. Gregory, on the other hand, believed that with the *potestas ligandi et solvendi* entrusted to him, the Roman pontiff or even a lesser bishop can judge the morality of a monarch's acts in the exercise of his governing office, and can punish a ruler's crimes by expelling him from the community of Christians. The other two elements in the Gregorian *potestas ligandi et solvendi* were more radical. By annulling oaths of fealty, Gregory dissolved the principal bond holding civil society together, for as he knew, "Without the observance of oaths, the office of the royal dignity can in no way be administered".⁷⁰ And with his doctrine on deposition, Gregory inferred the right to exercise a direct jurisdiction over a monarchy even when the judgment was not occasioned by the monarch's "iniquities". Thereby Gregory went even beyond the claim, advanced 123 years later by Innocent III, to intervene in secular matters "by reason of sin".⁷¹ Within the Gelasian tradition, by his transformation of the pontifical *auctoritas* Gregory reveals the meaning of, and measures the distance between, Gelasius's dualism and his own hierocratic view.

IV | POLEMICAL LITERATURE AND CANON LAW⁷²

Throughout the second half of the eleventh century and thereafter, reformers perceived a revived canon law as simultaneously a major instrument and a crucial goal of the Reform.⁷³ In studying the Pseudo-Isidorian Decretals and other collections from the early Middle Ages, they recovered the letters and treatises of earlier popes, including Gelasius, and extracted from them the most useful excerpts for canonical collections. Thus the Reform movement directly inspired the emergent canon law. Moreover, the new canonistic jurisprudence was inseparable from the polemical literature of the Investiture Struggle. Some canonists

not only compiled canonical collections but also wrote publicistic treatises. Indeed, a few of the treatises presented so many texts in series, and at many points without any commentary between the *auctoritates*, that the treatise itself can almost be considered a collection. On both sides, partisans quarried the older canonical collections and the new ones for arguments to support diverse positions. Thereby the key Gelasian texts quickly became important *auctoritates* for the authors of polemical treatises, as they were for the compilers of collections. Finally, when one examines their ways of interpreting texts, one cannot distinguish sharply between the hermeneutic style of the treatises and that of the collections. In these respects, from the 1070s onward the history of the Gelasian tradition is linked to the evolution of canon law.

Many political treatises of the Investiture Struggle appeared in epistolary form.⁷⁴ In fact, Gregory VII composed his second letter to Herman of Metz as a treatise designed to reach a wide audience, especially in Germany, and had several versions prepared for circulation.⁷⁵ During the 60 years following its composition, the manifesto of 1081 entered more canonical collections than any other Gregorian letter.⁷⁶ Some collections—for example, those by bishop Anselm II of Lucca and cardinal Deusdedit—presented long excerpts from this letter, but omitted the Gelasian quotation.⁷⁷ More commonly, however, the excerpts in the canonical collections contain the “Duo sunt” passage. All three of the collections compiled by bishop Ivo of Chartres in the mid-1090s included the “Duo sunt” text in their excerpts from Gregory’s letter, and the relevant *capitulum* in his *Panormia* actually begins with the Gelasian quotation.⁷⁸ Similarly, as excerpted in several other late eleventh- and early twelfth-century collections, the Gregorian letter contains Gelasius’s text.⁷⁹ Rubrics sometimes indicate the meaning which the canonists saw in Gregory’s letter: they perceived it as an argument “That the pope can excommunicate and depose emperors, which certain bishops have also done” (thus Anselm of Lucca), or as a statement on the excellence of the priesthood (thus Ivo of Chartres), or as an assertion “That the Roman pontiff excommunicates kings who act unjustly” (thus the *Collection of Vatican lat. 3829*).⁸⁰

Yet the full text of Gelasius’s letter to Anastasius was also accessible, and by the mid-1070s canonists had found it in Pseudo-Isidore. The *Collection in 74 Titles*—the earliest of the surviving canonical collections from the Reform—presented two important passages from the letter, and placed them in a section bearing the neutral rubric “On sacerdotal authority and royal power”. One of the two concerned the special obligation of obedience to the Roman See.⁸¹ But the other *capitulum* was “Duo sunt”, and there the *Collection in 74 Titles* omitted the phrase “in the reception and proper administration of the heavenly sacraments”

(*sumendis caelestibus sacramentis eisque, ut competit, disponendis*). Still, since the compiler retained the phrase "in the sphere of religion" (*religionis ordine*), the limited character of Gelasius's claim remained clear.⁸² Thus the anonymous canonist's omission did not transform "Duo sunt" into a sweeping assertion of jurisdiction over the emperor,⁸³ and thereby did not anticipate Gregory's radical reinterpretation in 1081.

After 1081, therefore, three versions of "Duo sunt" were circulating: the complete text of the letter of Anastasius, chiefly in manuscripts of Pseudo-Isidore; a brief excerpt with a minor omission in the *Collection in 74 Titles*; and Gregory's ingeniously edited quotation.⁸⁴ The popularity of the *Collection in 74 Titles* assured the diffusion of its short excerpt, which passed into publicistic treatises and of course into other canonical collections.⁸⁵ In addition, within his collection Anselm of Lucca placed a long selection from the Pseudo-Isidorian version of Gelasius's letter, beginning with the "Duo sunt" statement, in the section "On the power and primacy of the Apostolic See". But Anselm provided Gelasius's text with a rubric which clearly indicates the new direction of political hermeneutics in the Age of Reform, a direction pointed out by Gregory himself. As Anselm summed it up, Gelasius's letter to Anastasius showed "That the world is ruled by the authority of bishops and by the power of kings, and that the royal power must be subject to bishops".⁸⁶ Not long thereafter, Deusdedit incorporated into his collection the same passage from the letter to Anastasius, but gave it no explanatory rubric.⁸⁷ In short, Anselm's and Deusdedit's collections not only increased the accessibility of the authentic Gelasian text, but Anselm's also interpreted it as an argument echoing Gregory's conception. Still, not everyone agreed with Gregory and Anselm. In the early or mid-1090s, Alger of Liège took "Duo sunt" to mean "That although the two principal powers are the kingship and the priesthood, nonetheless just as priests must be subject to kings in earthly matters, kings must even more be subject to priests in divine matters".⁸⁸

Moreover, Gelasius's argument on Christ's separation of the two "offices" found a place in the early canonistic tradition. But since Gelasius's *Tomus*—unlike the letter to Anastasius—did not appear in the Pseudo-Isidorian Decretals, it could enter the collections only by other channels. Nicholas I provided such a route, for in a long and angry letter to the Byzantine emperor Michael III, he quoted, without attribution and with a few modifications, the pertinent passage from the *Tomus*.⁸⁹ Both Anselm and Deusdedit incorporated Nicholas's quotation from the *Tomus* into their collections, where its authorship was understandably disguised behind Nicholas's name.⁹⁰ And Anselm interpreted his substantial excerpt from Nicholas's letter as an assertion "That emperors must obey bishops, not command them". In his *Tripartita*,

Ivo of Chartres appropriated a considerable part of the Gelasian text as transmitted from Nicholas's letter, and presented it, under Nicholas's name, in three consecutive *capitula*: "Denique hi", "Cum ad verum", and "Satis evidenter". His rubrics interpreted "Denique hi" and "Satis evidenter" as statements exempting the clergy from judgment by the secular power, and "Cum ad verum" as an argument for the mutual dependence of emperors and bishops.⁹¹ Also, omitting the first sentence of "Cum ad verum", Ivo published a truncated version of its text (beginning "Quoniam idem") in both his *Decretum* and his *Tripartita*. In both, however, he ascribed "Quoniam idem" to Cyprian, and he assigned it the same meaning that he had seen in "Cum ad verum".⁹²

Throughout this transmission of the Gelasian text via Nicholas's letter, of course, Gelasius's doctrine did not circulate under his own name. But a few others were familiar with the text of the *Tomus*, and knew who had written it. In his collection, Alger of Liège's concern with the problems of heresy and schism led him to include a dossier of 20 *capitula*, 19 of them Gelasian, drawn from documents of the Acacian schism. One of these *capitula* was "Duo sunt", and another presented, also under Gelasius's name, a long excerpt from the *Tomus* on Christ's separation of the two offices.⁹³ But with his attention directed primarily to theological problems, Alger's dossier evidently included the two Gelasian statements on *regnum* and *sacerdotium* as an incidental by-product of this preoccupation. In any case, Ivo of Chartres's authority proved more compelling than Alger's, and appropriating the *Tomus*'s doctrine from Ivo, subsequent canonists associated it with Nicholas I.

Because Gregory's use of "Duo sunt" constituted so radical—and so influential—a reinterpretation, after 1081 one finds a sharp break in the tradition. As we have seen, Anselm of Lucca viewed "Duo sunt" as a hierocratic text. Among the canonists, two of Anselm's contemporaries also accepted Gregory's explication of the Gelasian *sententia*. From the *Collection in 74 Titles*, Bernard of Hildesheim took over the two texts which originally came from Gelasius's letter to Anastasius, "Duo sunt" and the *capitulum* on Roman primacy, citing them to argue that in his defense of justice, the pope should spare no one, not even the most exalted of persons.⁹⁴ Bernard's friend and former student, Bernold of Constance, also found 74 *Titles* a useful source, for he twice published its version of "Duo sunt" to show that monarchs are subject to the "ecclesiastical power". And in both discussions, after quoting "Duo sunt" Bernold adopted Gregory's mode of argument, citing authorities for the Church's right to excommunicate rulers and listing as *exempla* the excommunications of various monarchs.⁹⁵ Within the Gregorian tradition, there were also less radical uses for "Duo sunt" and the Gelasian *sententia* urging the primacy of Rome. In 1112, for example, a defender

of pope Paschal II argued, from these two texts, that it is unlawful for a monarch to invest bishops with their bishoprics.⁹⁶

But another cleric explored the hierocratic possibilities of "Duo sunt" with striking rigor: Of the 31 treatises which together are ascribed to the Norman Anonymous,⁹⁷ one short tract argues the Gregorian position, and thus clearly does not fit into the Anonymous's otherwise consistent defense of royal prerogative.⁹⁸ The treatise begins with the briefest possible quotation of "Duo sunt", and the rest of the tract—drawing on Gregory's letter of 1081—explicates "Duo sunt". Throughout the treatise, the Anonymous adhered uniformly to his version of Gelasius's terms, contrasting *sacerdotalis auctoritas* and *regalis potestas*. In its relentless effort to prove that "the priestly *auctoritas* has a greater and more excellent prerogative (*privilegium*) than the royal *potestas*", the treatise develops—and occasionally goes beyond—the themes stated in Gregory's letter of 1081.⁹⁹ The Anonymous gave prominence to the priestly *potestas ligandi et solvendi*, certainly a familiar Gregorian theme, and to the priest's power of dispensing salvation through the sacraments: baptism, penance, eucharist. The priestly *auctoritas* "can open and close heaven". Indeed, every priest is "an angel of the Lord", a *christus* (that is, "an anointed one" and virtually "Christ").¹⁰⁰ In contrast, the royal *potestas* is "a despised prerogative in the administration merely of public affairs". Then the Anonymous summed up his eulogy of the *sacerdotium*, and his argument for its superiority over the *regnum*:

Therefore, just as (the priestly *auctoritas*) is celestial and divine, it orders and sanctifies the royal *potestas*, and it governs souls and bodies, and it works powerfully in all of heaven and hell and the entire world. But as it is terrestrial and corporeal, the royal *potestas* governs only bodies, and this imperfectly. It has no power at all in heaven, and little enough in some narrow corner of the earth. If we wish to compare this *potestas* with the priestly prerogative, pale lead will be compared to brilliant gold. But it must also be said that the king is the son of the holy Church, not the director (*praesul*); the pupil, not the master; the subject, not (the ruler).¹⁰¹

In the treatise, it is difficult to identify anything that Gregory would seriously have disapproved. And though the Anonymous's tract only implied an ecclesiastical right to excommunicate or depose rulers,¹⁰² in other respects even Gregory did not press his "Gelasian" claims so far.

A cleric of Constance, active in the 1070s and 1080s, pursued a different line of thought to express what the Gelasian dictum might imply to a Gregorian. The anonymous cleric's commitment to the Reform and interest in canon law led him to study, and to comment on, a manuscript of the *Collectio Quesnelliana*. While reading Gelasius's letter to Anastasius, which he encountered in the *Quesnelliana*, he glossed the

words *auctoritas sacrata pontificum et regalis potestas* with the observation: "Note that there are two august emperors" (*Nota duos esse imperatores augustos*).¹⁰³ Here the anonymous canonist has evidently interpreted *auctoritas pontificum* as a reference to papal authority, and from Gelasius's statement he inferred that the Roman pontiff is himself an emperor. The cleric could not have found this claim in Gregory's second letter to Herman of Metz, and indeed the claim differs markedly from that letter's argument on the nature and extent of papal authority. Though it therefore does not much matter whether the cleric of Constance composed his gloss before or after 1081, his reevaluation of Gelasius's *sententia* is comparable to Gregory's transformation of the Gelasian tradition: With his interpretation of "Duo sunt", the anonymous canonist reflected that new tendency, already visible in the Reform papacy during the 1070s, to view the Roman pontiff as the holder of imperial prerogatives, or even as the true emperor.¹⁰⁴

Despite these Gregorian reevaluations, reformers did not forget the original meaning of "Duo sunt", as a defensive argument against lay intrusion into ecclesiastical affairs. Surprisingly, this traditional interpretation of "Duo sunt" surfaced again in the papal chancery. In a letter of 1088 to king Alfonso of León and Castile, Urban II began by paraphrasing Gelasius: "There are two things, king Alfonso, by which this world is chiefly ruled, the sacerdotal dignity and the royal power", and explained that because of the priesthood's responsibility for the king's soul, the *sacerdotalis dignitas* is superior to the *regalis potestas*.¹⁰⁵ After congratulating Alfonso for the reconquest of Toledo, Urban informed him that he had granted Toledo its ancient primacy throughout Spain. Then the pope rebuked the king for his role in the imprisonment and deposition of bishop Diego of Santiago de Compostela, commanding that Alfonso restore the bishop to his see "through the archbishop of Toledo". Since Urban concluded with a vague threat, one may be tempted to interpret his invocation of the Gelasian formula in Gregory's sense: as a justification for the exercise of papal jurisdiction over a monarch. But the pope's order to Alfonso aimed only to draw a sharp line between the proper domains of *regnum* and *sacerdotium*, and to annul an act involving the exercise of royal jurisdiction over a prelate.¹⁰⁶ Thus his use of Gelasius's language served an essentially defensive purpose, implying no claim to jurisdictional authority over the *regnum*.

In a comparable way, virtually from the outbreak of the Investiture Struggle, the imperial defense incorporated Gelasian thought and language. In 1076, after Gregory excommunicated Henry and suspended his right to govern, Henry presented his case in a letter to the German bishops: The divine plan approved "dualism" (*dualitas*) as a general principle of governance, a dualism subsisting in the *regnum* and the

sacerdotium. The two swords mentioned by Peter in Luke 22:38 anticipated and typified this dualism of *regnum* and *sacerdotium*, of the "spiritual and the carnal sword", which should maintain "within the Church" a perfect harmony and collaboration, each supporting the other's claim to obedience.¹⁰⁷ Here, Henry clung conservatively to the Carolingian conception of kingship and priesthood functioning as coordinate powers within the *ecclesia*, and indeed, this feature recurs in the pro-monarchical writings. Though the striking term *dualitas* was new, the language otherwise reveals clear traces of influence from "Duo sunt". But the spirit of Henry's statement is equally close to the doctrine of the *Tomus*, stressing the divinely decreed separation of the two offices. For Henry's central charge was precisely that Gregory had violated the Gelasian doctrine: he had arrogated and usurped for himself both *regnum* and *sacerdotium*, thus contravening the *dualitas* ordained by God.¹⁰⁸

Gelasius's influence reached its high-water mark in the early 1090s, with the *Liber de unitate ecclesiae conservanda*,¹⁰⁹ which elaborated in detail the central idea in Henry's letter of 1076. Composed by a monk of Hersfeld, the *Liber de unitate* not only argued the most compelling case for the imperial position, but also had a more profound grasp of the Gelasian doctrine, saw its full contours more clearly, than anyone before the late twelfth century. At the beginning of Book I, the anonymous author stated his intention of replying to Gregory's letter of 1081,¹¹⁰ and in fact, immediately after quoting from the letter, he remarked about it: "If an edifying charity had tempered these words, the discord of those by whom the world should be ruled would indeed not have happened."¹¹¹ Then he set about refuting Gregory's claim that the Church can excommunicate and depose monarchs, or dissolve oaths of fealty. Though he did not question the authenticity of the tradition that Ambrose had excommunicated Theodosius, his account of the incident differed sharply from Gregory's: contrasting the excommunications by Ambrose and Gregory, he pointed out that Ambrose had not interfered with Theodosius's imperial governance, whereas Gregory had caused schism. And he praised Ambrose's "discretion", for his action—which "was equally useful to the Church and to the emperor Theodosius himself"—thus "did not divide the Church".¹¹² Applying an historical critique, on the other hand, the monk of Hersfeld denied that Innocent I had excommunicated Arcadius.¹¹³ Just as crucially, he subjected Gregory's summary of the events of 750-51 to a searching scrutiny, and concluded that (a) in the deposition of Childeric the papacy's role was limited to mere consent; (b) the Roman pontiff did not release the Franks from their fealty to Childeric, nor could he lawfully have misused his *potestas ligandi et solvendi* thus, since an oath is

indissoluble; and (c) the Frankish magnates, rather than the pope, elevated Pepin to the kingship.¹¹⁴

It was not enough to show that Gregory's historical precedents proved nothing. To demonstrate the canonical authority for the three precedents, Gregory had presented his edited version of "Duo sunt". In reply to Gregory's letter, the author of the *Liber de unitate* assigned to Gelasius a conceptually central position within his argument.¹¹⁵ Throughout the treatise, in fact, he quoted Gelasius 41 times, culling texts from six of Gelasius's works. To exploit Gelasius's authority as fully as possible, the anonymous monk had an advantage over most writers on both sides of the controversy. Since few canonists and polemicists knew the full text of Gelasius's *Tomus*, few were aware that Gelasius had created the argument on Christ's separation of the two offices. But the monk of Hersfeld had the *Tomus* before him as he worked.¹¹⁶ Though he perceived that the two texts were conceptually linked and closely complementary, he evidently found the *Tomus* even more pertinent to his theme than the letter to Anastasius, for he quoted six times (twice quite briefly, to be sure) from the passage concerned with Christ's separation of the offices.¹¹⁷ Both "Duo sunt" and this passage from the *Tomus* strongly influenced his diction at various points, but surprisingly he quoted "Duo sunt" only once—and then as a single sentence introducing a quotation from the *Tomus*.¹¹⁸ Much of the anonymous monk's argument became virtually a commentary on the two texts, for taken together, they served as key authorities supporting his main propositions on *regnum* and *sacerdotium*: Jointly ruling the world, both the royal *potestas* and the pontifical *auctoritas* are divinely conferred, and it is "a great heresy" to resist God's will by presuming to grant the imperial office.¹¹⁹ Moreover, the two powers are separate, equal, and coordinate, each is supreme in its own sphere, and neither may intervene in the other's realm. Indeed, God alone can judge a monarch.¹²⁰ These propositions correspond to the monk of Hersfeld's main charges against Gregory: Though as clerics Gregory and his bishops "should not involve themselves in secular matters", through their usurpations they sought to destroy the divinely decreed order and cooperation of "the two principal things by which the world is governed".¹²¹ And "they usurped for themselves the offices of both powers, since kingship plainly lies with them or wherever they wish".¹²² Thus the Gregorians' refusal to observe Gelasian principles underlay the schism which they created.

In France, "Duo sunt" acquired a different nuance. Provoked to write by Gregory's letter, soon after 1102 Hugh of Fleury composed a treatise on "the royal power and the sacerdotal dignity".¹²³ He began the first chapter by quoting, and attacking, Gregory's remarks on the sinful origin of kingship.¹²⁴ Defending the divine origin of *regnum* and

sacerdotium alike,¹²⁵ Hugh maintained the bishops' autonomy in various respects, their authority in matters of religion, and even the superiority of their *dignitas* over that of the king. Indeed, there is a certain Gelasian tone as Hugh repeatedly refers to the "two powers", but it is Gelasian language in the Carolingian mode, for the two powers together rule the Church.¹²⁴ In Hugh's thought, earthly governance reflects theological principles, and the structure of the heavenly hierarchy. After a brief discourse on the Trinity, Hugh freely paraphrased the Gelasian formula: "The principal powers by which this world is ruled are two, the royal and the priestly". For Christ alone (as Hugh then explained, this time in the tradition deriving from the *Tomus*) can be "at the same time king and priest", with the implication that, in this regard, the earthly king and bishop hold separately "these two powers" which Christ united in himself.¹²⁷ The harmony of kingship and priesthood in Christ's person should serve as a model for the relations of *regnum* and *sacerdotium*.¹²⁸ In a somewhat different theological vein, Hugh stated that God the Father is greater than Christ—but in rank or sequence, not by His nature (*sed ordine, non natura*). Similarly, the bishops—who themselves are less than the king in rank or sequence, but not in dignity (*ordine, non dignitate*)—must be subject to him.¹²⁹ Hence Hugh's theological simile: "The king has the image of God the Father, and the bishop the image of Christ."¹³⁰ The simile was ancient,¹³¹ and surely did not please contemporary reformers. Almost 50 years earlier, cardinal Humbert of Silva Candida had parodied such politico-theological speculation by putting a comparable metaphor into a bishop's mouth: "The Roman pope is the Father, the emperor is the Son, and I, who run back and forth between them, am the Holy Spirit!"¹³² But there is a new element in Hugh's otherwise conservative argument: the fusion of Gelasian thought and language with a carefully modulated royal theocracy.

Hugh's contemporary, the Norman Anonymous, found more radical uses for the Gelasian *sententia*. In his defense of royal prerogative, the Anonymous quoted "Duo sunt" three times,¹³³ and borrowed its language at other points. To integrate the familiar formula into his argument, the Anonymous first had to explicate it in a special sense: by referring to "the world", he maintained, Gelasius meant "the holy Church wandering in this world".¹³⁴ With this exegesis the Anonymous could conclude that king and bishop rule jointly within the Church, and could therefore construe the formula as an authority against the reformers' efforts to exclude royal domination of the Church.¹²⁵ Correspondingly, he sanctified governance in general: "Indeed, the power of ruling is holy, and rule itself is holy".¹³⁶ And he saw the king's anointment as a liturgical transformation, making him a *christus* and a priest, just as the bishop's investiture renders him a king.

Kings are ordained in the church of God, and at the holy altar are consecrated with sacred unction and benediction, so that they may have the power to rule the Christian people, . . . which is the holy Church of God. . . . For this purpose, also the episcopal order is instituted, and consecrated with holy unction and benediction, so that it too may rule the holy Church.¹³⁷

In sharing the rule of the Church, both the consecrated king and the bishop are the "vicars of Christ" and "bear Christ's image".¹³⁸ The Anonymous described the royal accession—that is, the empowering of the king—as an investiture by God.¹³⁹ Consequently, it is scarcely surprising that the Anonymous defended the king's right to invest bishops, but regarded the object of investiture as solely the "possession of temporal properties" and the "power to rule God's people".¹⁴⁰ In the act of handing over the pastoral staff to the future bishop, the king, to whom "the bishops were entrusted by God, so that he may rule over them . . . , conveys a part of this investiture to the bishops".¹⁴¹ Differently stated, the Anonymous conceived the king's investiture of bishops as a partial transfer—one might even say: a subdelegation—of the governing prerogative delegated to him by Christ: from Christ the King to the earthly king, from the earthly king to the bishop. Because "everyone who rules can rightly be called a king," in the bishop's investiture "a king is installed by a king, the lesser by the greater".¹⁴² The episcopate should therefore be considered "a royal priesthood (*regale sacerdotium*), which is derived from the king", since the bishop thus "has the king's power and office".¹⁴³ When the Anonymous, at this point, again quoted "Duo sunt", in the context of the larger argument one sees the full meaning which the Anonymous assigned to the formula: Together, the king (who is also a priest) and the bishop (whose *potestas* makes him also a king) rule the *ecclesia*, but the king rules the bishop. Insofar as the bishop governs, he has received his *potestas* from the king in the investiture. Both for king and for bishop, thereby, the Anonymous repudiated the Gelasian principle firmly separating the two forms of power. And whereas Gelasius had envisioned a horizontal and essentially nonhierarchical relation between monarch and bishops, the Anonymous conceived a vertical and strictly hierarchical relation, with the greater granting *potestas* to the lesser.

Three brief conclusions will illustrate, from different perspectives, the crisis in the history of the Gelasian doctrine.

First, even during the late eleventh- and early twelfth-century revival of canon law, there were few who knew the *Tomus* and its authorship, and since the *Tomus*'s argument on the separation of the offices was generally ascribed to Nicholas I, even fewer who saw the links between the two texts. In short, "Duo sunt" remained an influential but isolated

sententia, lacking the theological foundation which the *Tomus* would have provided. In this sense, during the Investiture Struggle the full Gelasian doctrine on the two powers had all but disappeared.

Second, new ways of thought modified perceptions of the pontifical *autoritas* within the citations and applications of the Gelasian duality. During the Carolingian period, the Gelasian formula was already coming to identify simply the two principal loci of governmental power. Gregory VII had interpreted "Duo sunt" as an argument justifying his own conception of a radically enlarged *potestas ligandi et solvendi*. At the opposite end of the political spectrum, the Norman Anonymous saw the sacerdotal *autoritas* solely as the governing *potestas* which royal investiture conferred on a bishop. In this sense, during the Investiture Struggle, even as they repeated the traditional distinction between the *autoritas pontificum* and the *regalis potestas*, most thinkers had turned their attention toward the forms of concrete governing power claimed on behalf of the pontifical *autoritas*. That is, during the Investiture Struggle reformers and their opponents were increasingly preoccupied with the bishops' exercise of jurisdictional *potestas* and with the papacy's new claims to *potestas* over the secular world, but one could no longer locate the significant issues with a simple distinction between the "sphere of public order" and the "sphere of religion", for in the *ordo religionis*, as Gelasius had defined it, few contested the Church's ancient heritage of *autoritas*.

And finally, in the two decades following Gregory's letter of 1081, the Gelasian tradition fragmented. That is, "Duo sunt" became politically indeterminate. Starting from more or less the same premises—that is, from a version of Gelasius's *sententia*—canonists and publicists discovered that one could draw widely divergent conclusions: hierocracy, dualism, or royal theocracy. Thus we can discern at least three hermeneutic traditions, each appealing to Gelasius's authority and claiming to be Gelasian in its interpretation of "Duo sunt". In part, this indeterminacy simply reflects the fragmentation of earlier political traditions during the Investiture Struggle, and the polarizing bitterness of its conflicts. But in part it illustrates the continuing value of an ancient authoritative text, its remarkable susceptibility to reinterpretation and to fresh applications in a new age. Gelasius's texts remained authoritative in the political thought of the twelfth century. Indeed, "Duo sunt" may have been quoted as often in the twelfth century as in all previous centuries. But in the twelfth century, hierocrats and dualists alike would appeal to the same *sententia*, for there was no longer a coherent Gelasian tradition, no longer a single Gelasian doctrine.

NOTES

1. JK 632; E. SCHWARTZ ed., *Publizistische Sammlungen zum acacianischen Schisma*, Abh. Akad. München, 1934, No. 10, Munich, 1934 (hereafter: SCHWARTZ), 20. The abbreviations used throughout are common to most medieval journals.
2. Percy Ernst SCHRAMM, *Kaiser, Könige und Päpste*, 4 vols. in 5 parts, Stuttgart, 1968-71, 1.73: "man kann nun die ganze weitere mittelalterliche Staatstheorie aufgliedern anhand dieses Satzes."
3. The only monograph on the Gelasian tradition is, unfortunately, quite unsatisfactory: Lotte KNABE, *Die gelasianische Zweigewaltentheorie bis zum Ende des Investiturestreits*, Historische Studien 292, Berlin, 1936.
4. On another occasion, I hope to reexamine some themes which could receive only cursory treatment here.
5. JK 632; SCHWARTZ, 20.5-16.
6. This school of interpretation is especially indebted to Erich CASPAR, *Geschichte des Papsttums*, 2 vols., Tübingen, 1930-33 (hereafter: GP), 2.63-73, 753-58. But Caspar also saw in the text the "Keim des Hierarchischen" (2.68-70).
7. The view that Gelasius was a thoroughgoing hierocrat has been most vigorously argued by Walter ULLMANN, *The Growth of Papal Government in the Middle Ages*, 3rd ed., London, 1970, 14-28, 462f, 478, maintaining the same interpretation as the first edition (London, 1955). See Friedrich KEMPF, *Die päpstliche Gewalt in der mittelalterlichen Welt: Eine Auseinandersetzung mit Walter Ullmann*, *Saggi storici intorno al papato*, Miscellanea historiae pontificiae 21, Rome, 1959, 117-69 at 166f; Giuseppe MARTINI, *Alcune considerazioni sulla dottrina gelasiana*, *Bullettino dell'Istituto storico italiano*, 75, 1963, 7-21. ULLMANN's recent study, *Der Grundsatz der Arbeitsteilung bei Gelasius I.*, *Historisches Jahrbuch* 97-98, 1978, 41-70, came to my attention too late for consideration here.
8. But cf. ULLMANN, *Growth* 20f.
9. E. J. JONKERS, Pope Gelasius and Civil Law, *Tijdschrift voor Rechtsgeschiedenis* 20, 1952, 335-39; Janet L. NELSON, Gelasius I's Doctrine of Responsibility, *Journal of Theological Studies*, n.s. 18, 1967, 154-62 at 158-60.
10. CASPAR, GP 2.65f, 753; Francis DVORNIK, Pope Gelasius and Emperor Anastasius I, *BZ* 44, 1951 (= *Festschrift Franz Dölger*), 111-16 at 113f.
11. CASPAR, GP 2.66f, 753-58; Leo I, *ep.* 118, *PL* 54.1040, also *ep.* 156.3, *PL* 54.1130.
12. Wilhelm ENSSLIN, *Auctoritas und Potestas: Zur Zweigewaltenlehre des Papstes Gelasius I.*, *Historisches Jahrbuch* 74, 1955, 661-68.
13. To evaluate Gelasius's style and thought, cf. the letter of pope Symmachus, clumsily paraphrasing "Duo sunt" (JK 761; SCHWARTZ, 154.31-155.10).
14. JK 701; SCHWARTZ, 14.5-23. Scholars often cite the *Tomus* as *Tractatus IV*, the name assigned to it in the older edition by Andreas THIEL, *Epistolae Romanorum pontificum genuinae* 1, Braunsberg, 1868, 557-70. In its surviving form the *Tomus* is a set of fragments put together in false sequence, but Gelasius's authorship cannot be doubted; CASPAR, GP 2.755f.
15. Gen. 14:18; cf. also Ps. 109:4, and Heb. 5:10, 7:11.
16. W. ENSSLIN, *Gottkaiser und Kaiser von Gottes Gnaden*, SB Akad. München, 1943, No. 6, Munich 1943, 67-77, 93-108.
17. JK 622, JK 611 (SCHWARTZ, 16.8-14, 46.22); CASPAR, GP 2.72f.
18. JK 632 (SCHWARTZ, 19.27).
19. W. ENSSLIN, *Die Religionspolitik des Kaisers Theodosius d. Gr.*, SB Akad. München, 1953, No. 2, Munich, 1953, 73.
20. JK 664 (*recensio longior*); Otto GÜNTHER, ed., *Collectio Auellana*, CSEL 35, Vienna, 1895-98 (hereafter: GÜNTHER), 390.18-21, No. 95.

21. Rudolf SCHIEFFER, *Von Mailand nach Canossa: Ein Beitrag zur Geschichte der christlichen Herrscherbusse von Theodosius d. Gr. bis zu Heinrich IV.*, *DA* 28, 1973, 333-70 at 344f, 363.

22. For somewhat different interpretations, cf. ENSSLIN, *Historisches Jahrbuch* 74, 1955, 663; SCHIEFFER, *DA* 28, 1973, 344f.

23. Cf. NELSON, *Journal of Theological Studies*, n.s. 18, 1967, 155 esp. n. 2.

24. JK 664; GÜNTHER, 389.18-390.7. The Church's aspiration to the *privilegium fori* began in the fourth century; CASPAR, *GP* 1.136 n. 3, 206f.

25. JK 665; SCHWARTZ, 28.35-29.1.

26. JK 611 (SCHWARTZ, 35.30-36.4); though issued under Felix's name, it circulated in manuscripts as a Gelasian letter.

27. For an example, see ULLMANN, *Growth* 20, 22f.

28. *Ep.* 21 c. 36, *PL* 16.1061.

29. ULLMANN, *Growth* 18, 22f, citing earlier literature.

30. Cf. NELSON, *Journal of Theological Studies*, n.s. 18, 1967, 160: JK 611 attributes "to the pope . . . the rights and obligations of a *paterfamilias*".

31. JK 381 (Celestine I, *ep.* 21, *PL* 50.529); CASPAR, *GP* 1.386.

32. JK 601 (SCHWARTZ, 82.20), written for Felix III (484).

33. *Heumanns Handlexikon zu den Quellen des römischen Rechts*, 9th ed. rev. E. SECKEL, Jena, 1907, 197f; Adolf BERGER, *Encyclopedic Dictionary of Roman Law*, Transactions of the American Philosophical Society, n.s. 43.2, Philadelphia, 1953, 465.

34. JK 622; SCHWARTZ, 18.36-19.4.

35. The claim to the *privilegium fori* (JK 664; GÜNTHER, 389.18-390.7) may constitute an exception to this statement.

36. DVORNIK, *BZ* 44, 1951, 113-15; ENSSLIN, *Historisches Jahrbuch* 74, 1955, 663.

37. DVORNIK, *BZ* 44, 1951, 115.

38. JK 761; SCHWARTZ, 154.31-155.10.

39. JK 744 (THIEL, ed., *Epistolae* 1.620); CASPAR, *GP*, 2.82f.

40. DVORNIK, *BZ* 44, 1951, 115f.

41. ENSSLIN, *Historisches Jahrbuch* 74, 1955, 665.

42. CASPAR, *GP*, 2.66-73.

43. JE 2483; MGH *Epistolae* 5.51.29-33.

44. The few Carolingian texts discussed here were selected to represent the key features of the ninth-century tradition. There is no satisfactory account of Gelasius's influence on Carolingian political thought and ecclesiology. But one can gain a notion of its extent from the many references in Hans Hubert ANTON, *Fürstenspiegel und Herrscherethos in der Karolingerzeit*, Bonner historische Forschungen 32, Bonn, 1968.

45. Concilium Parisiense 1.3, MGH *Concilia* 2.610f, No. 50D. On Jonas and the synod of Paris, see ANTON, *Fürstenspiegel*, 204-18.

46. FULGENTIUS, *De veritate praedestinationis et gratiae Dei* 2.38, *PL* 65.647.

47. Tilman STRUVE, *Die Entwicklung der organologischen Staatsauffassung im Mittelalter*, Stuttgart, 1978, 93-95.

48. *De institutione regia* c. 1, ed. J. REVIRON, *Les idées politico-religieuses d'un évêque du IX^e siècle: Jonas d'Orléans et son "De institutione regia"*, Paris, 1930, 134f.

49. JE 2796; MGH *Epistolae* 6.475.34, No. 88.

50. Gerhart B. LADNER, *The Concepts of Ecclesia and Christianitas and their Relation to the Idea of Papal Plenitudo potestatis* from Gregory VII to Boniface VIII, *Sacerdozio e regno da Gregorio VII a Bonifacio VIII*, *Miscellanea historiae pontificiae* 18, Rome, 1954, 49-77 at 50f; also, the older study by Heinrich LILLENFEIN, *Die Anschauungen von Staat und Kirche im Reich der Karolinger*, Heidelberg, 1902, 22-45.

51. Synod of Thionville (Diedenhofen) and Yutz c.2, MGH *Capitularia* 2.114, No. 227.

52. Synod of Fismes c. 1, *PL* 125.1071.

53. Many scholars have noted Gelasius's role in the Investiture Struggle. A few examples: Gerd TELLENBACH, *Church, State, and Christian Society at the Time of the Investiture Contest*, trans. R. F. BENNETT, Oxford, 1940, 158f; Gottfried KOCH, *Auf dem Wege zum Sacrum imperium: Studien zur ideologischen Herrschaftsbegründung der deutschen Zentralgewalt im 11. und 12. Jahrhundert*, Vienna, 1972, 45f, 63f; and most recently, I. S. ROBINSON, *Authority and Resistance in the Investiture Contest*, Manchester, 1978, 135-39, 142-44.

54. Paul HINSCHIUS, ed., *Decretales Pseudo-Isidorianae et Capitula Angilramni*, Leipzig, 1863, 639-41.

55. MGH Heinrich II. Diplomata 468, No. 366 (1017).

56. *Disceptatio synodalis inter regis advocatum et Romanae ecclesiae defensorem*, MGH LdL 1.93; *ep.* 3.6, 4.9, 7.3, *PL* 144.294, 315, 440. See esp. J. Joseph RYAN, *Saint Peter Damiani and his Canonical Sources*, Toronto, 1956, 81-83, 90-92, 94, 105f.

57. *Diuersorum patrum sententie* (hereafter: 74T), 41.227, ed. J. T. GILCHRIST, *Monumenta iuris canonici, Corpus glossatorum* I, Vatican City, 1973, 142.

58. Horst FUHRMANN, *Über den Reformgeist der 74-Titel-Sammlung (Diuersorum patrum sententiae), Festschrift für Hermann Heimpel*, 3 vols., Göttingen, 1971-72, 2.1101-20.

59. *Reg.* 1.19 (JL 4790), 7.25 (JL 5168), ed. E. CASPAR, *Das Register Gregors VII.*, MGH *Epistolae selectae* 2, Berlin, 1920-23 (hereafter: CASPAR), 31, 505f. From the wording of these two letters, LADNER (in *Sacerdozio e regno*, 51f) suggests that in 1073 Gregory still accepted the Carolingian concept of *ecclesia*, but had abandoned it by 1080. Even in the letter of 1080, however, the Gelasian language points toward the old ideal of collaboration between the two *dignitates*. The two letters deserve more discussion than is possible here.

60. *Reg.* 8.21 (JL 5201), ed. CASPAR, 546-63. Gregory's second letter to Herman elaborates, and adds much to, the arguments of the first (JL 5000; *Reg.* 4.2, ed. CASPAR, 293-97).

61. CASPAR, 547.18-20.

62. CASPAR, 553.14-22.

63. CASPAR, 552.13-553.2.

64. CASPAR, 553.23-554.15.

65. CASPAR, 554.3-11. On the history of this text, Edward PETERS, *The Shadow King: Rex inutilis in Medieval Law and Literature, 751-1327*, New Haven, 1970, 39-45, 118-34.

66. CASPAR, 555.1-9; Gregory had used the quotation with the antithesis *plumbum-aureum* in his first letter to Herman (*Reg.* 4.2, ed. CASPAR, 296), and repeated it in a reproachful letter to William the Conqueror (JL 5254; *Reg.* 9.37, ed. CASPAR, 631). The pseudo-Ambrosian text—which merits further study—can be found, under Gerbert of Aurillac's name, in *PL* 139.169-78 at 170f; for the scholarly literature, see SCHIEFFER, *DA* 28, 1973, 363, n. 132, and esp. George H. WILLIAMS, *The Golden Priesthood and the Leaden State: A Note on the Influence of a Work Sometimes Ascribed to St. Ambrose: the Sermo de dignitate sacerdotali*, *Harvard Theological Review* 50, 1957, 37-64.

67. On the juridical meanings of the two depositions, John GILCHRIST, Gregory VII and the Juristic Sources of his Ideology, *Studia Gratiana* 12, 1967 (= *Collectanea Stephan Kuttner* 2), 3-37 at 29-36.

68. *Reg.* 3.6*, 7.14a No. 7, ed. CASPAR, 253f, 483-87.

69. CASPAR, 555.10-14.

70. In a letter of April 1078, the Saxons made this point to Gregory; BRUNO, *Saxonicum bellum* c. 108, ed. H.-E. LOHMANN, MGH *Deutsches Mittelalter* 2, Leipzig, 1937, 97.

71. C. R. CHENEY and W. H. SEMPLE, ed., *Selected Letters of Pope Innocent III concerning England*, London, 1953, 64, No. 21. But cf. CASPAR, *GP* 2.70f, who misinterpreted Innocent's argument as referring solely to the remission or retention of sins, and therefore somewhat misleadingly stated that Gelasius considered the emperor dependent on pontiffs "ratione peccati".

72. For help of various kinds on the canonists' transmission of Gelasian texts, I am extremely grateful to Stephan Kuttner and Charles McCurry.

73. On the connections between canon law and the Reform, see the recent account by ROBINSON, *Authority and Resistance*, esp. 39-49.

74. Carl ERDMANN, *Die Anfänge der staatlichen Propaganda im Investiturstreit*, *HZ* 154, 1936, 491-512 at 503-05.

75. On the diffusion of the text, see CASPAR, 544-46; Carl MIRBT, *Die Publizistik im Zeitalter Gregors VII.*, Leipzig, 1894, 22-26, 98f, surveys the reactions to the letter in the polemical treatises.

76. John GILCHRIST, The Reception of Pope Gregory VII into the Canon Law (1073-1141), *ZRG Kan. Abt.* 59, 1973, 35-82 (hereafter: GILCHRIST) at 69-72, 78-82.

77. Anselm, *Collectio canonum* 1.80, ed. F. THANER, Innsbruck, 1915, 53-55; Deusdedit, *Collectio canonum* 4.184, ed. V. WOLF VON GLANVELL, Paderborn, 1905, 489-91; *Polycarpus* 1.20.11 (GILCHRIST, 46).

78. *Decretum* 5.378, *PL* 161.437f; *Panormia* 5.109, *PL* 161.1235f; *Tripartita* 3.9.23 (Paris, Bibliothèque nationale lat. 3858B, fol. 152vb).

79. GILCHRIST, 44, 48, 52, 59f.

80. Anselm, *Coll. canonum* 1.80, ed. THANER, 53; *Tripartita* 3.9.23 (Paris, Bibl. nat. lat. 3858B, fol. 152vb); *Vatican lat.* 3829, fol. 278r (GILCHRIST, 48).

81. *74T* 41.228, ed. GILCHRIST, 142.

82. *74T* 41.227, ed. GILCHRIST, 142.

83. Cf. ROBINSON, *Authority and Resistance*, 138: With the omission, "the *sententia* suggests that the emperor is subject to the *sacerdotium* in all matters concerning the Church". Not quite: it suggests that the emperor is subject in the *ordo religionis*—which was, after all, Gelasius's point.

84. To trace in full detail the canonical transmission of Gelasius's texts—or even merely of the letter to Anastasius and the *Tomus*—would require a separate study. Here we are concerned only with the large outlines of the transmission.

85. In the Prolegomena (lxxxvii, n. 16) to his edition of *74T*, GILCHRIST has promised a study of *74T*'s influence during the period 1076-1141.

86. Anselm, *Coll. canonum* 1.71, ed. THANER, 38f.

87. Deusdedit, *Coll. canonum* 4.49, ed. WOLF VON GLANVELL, 422f.

88. *Liber de misericordia et iustitia* 3.70 rubr., *PL* 180.961f. Formerly dated ca. 1105, the *Liber de misericordia* has been convincingly assigned to the period just before the influence of Ivo's collections was felt; Nicholas M. HÄRING, A Study in the Sacramentology of Alger of Liège, *Mediaeval Studies* 20, 1958, 41-78 at 41f.

89. JE 2796; MGH *Epistolae* 6.454-87, No. 88 (865) at 485f. On the transmission of this and other letters by Nicholas to the canonists of the late eleventh century, see Ernst PERELS, Die Briefe Nikolaus' I.: Die kanonistische Überlieferung, *Neues Archiv* 39, 1914, 45-153.

90. Anselm, *Coll. canonum* 1.72, ed. THANER, 39-48 at 48; THANER did not identify the Gelasian authorship of this passage. Deusdedit, *Coll. canonum* 4.172, 173, ed. WOLF VON GLANVELL, 482f.

91. *Tripartita* 1.62.6, 7, 8 (Paris, Bibl. nat. lat. 3858B, fols. 63vb-64ra).

92. *Decretum* 4.188, *PL* 161.307; *Tripartita* 3.16.18 (Paris, Bibl. nat. lat. 3858B, fols. 147vb-148ra).

93. *Liber de misericordia* 3.65 (Tomus), 3.70 ("Duo sunt"), PL 180.960-62.

94. *Liber canonum contra Heinricum quartum* c. 22, MGH LdL 1.492, appropriating 74T c. 227 (with a minor change) and c. 228. Cf. also *Liber canonum* c. 25, MGH LdL 1.495-98, on precedents and authorities for the excommunication of princes.

95. *Apologeticae rationes contra scismaticorum obiectiones*, and *De solutione iuramentorum*; MGH LdL 2.97, 148.

96. *Disputatio vel defensio Paschalis papae*, MGH LdL 2.663. The text follows Pseudo-Isidore, rather than 74T.

97. On these brilliant and enigmatic treatises, the book by George H. WILLIAMS, *The Norman Anonymous of 1100 AD*, Harvard Theological Studies 18, Cambridge, 1951, remains fundamental. The only complete edition is by Karl PELLENS, *Die Texte des normannischen Anonymus*, Wiesbaden, 1966 (hereafter: PELLENS).

98. Text of J10: PELLENS, 76-79; WILLIAMS, *Norman Anonymous*, 223f. The possible explanations for J10's contradictory doctrine are: (a) It was a scholastic exercise by the Anonymous "für seine Schüler" (PELLENS, 76, n. 2). But if so, what were the other 30 tracts? (b) The sole surviving MS of the tracts was, like Bruxelles MS 5576-604, a miscellaneous collection of *Streitschriften* by various authors (ROBINSON, *Authority and Resistance*, 145). But the Anonymous's style is unmistakable throughout the tracts, including J10. (c) Consequently, J10 cannot simply be—as WILLIAMS suggested (*Norman Anonymous*, 35f)—a fragmentary exemplar of a lost Gregorian work "mistakenly copied into" the MS. (d) As some earlier scholars have proposed, here the Anonymous could have summarized the Gregorian position for future refutation, since his other tracts attack most of the points made in J10. Though (d) remains the most plausible suggestion, the problem needs further study.

99. WILLIAMS, *Harvard Theological Review* 50, 1957, 56-59; also the notes by PELLENS, 76-78.

100. In Reg. 9.37 (JL 5254), ed. CASPAR, 631, Gregory described *sacerdotes* as *christi*, but in his letter of 1081 he did not apply the term to the priesthood.

101. J10 (PELLENS, 78f; WILLIAMS, *Norman Anonymous* 224); see WILLIAMS, *Harvard Theological Review* 50, 1957, 58. The antithesis *filius-praesul* comes from Gelasius (JK 611; SCHWARTZ, 35.31), misidentified by both WILLIAMS and PELLENS. This passage appears at the end of the tract, which breaks off with an incomplete sentence.

102. J10 (PELLENS, 76; WILLIAMS, *Norman Anonymous* 223). Suggesting the priesthood's right to judge and condemn monarchs, here the Anonymous has implicitly ascribed to the *sacerdotalis auctoritas* what Gregory in 1080 explicitly ascribed to St Peter and St Paul: the right to take away and to grant empires, kingdoms, and principalities at will (Reg. 7.14a, ed. CASPAR, 487).

103. Johanne AUTENRIETH, *Die Domschule von Konstanz zur Zeit des Investiturstreits*, Forschungen zur Kirchen- und Geistesgeschichte n.s. 3, Stuttgart, 1956, 47. For a characterization of "Anonymus A" (AUTENRIETH's name for the author of the gloss), see *ibid.*, 143-68. The gloss appears on fol. 105r of the *Quesnelliana* MS at Einsiedeln, Stiftsbibliothek, 191.

104. On the imperialization of the papacy in this period: SCHRAMM, *Kaiser, Könige und Päpste*, 4.157-102; ULLMANN, *Growth*, esp. ch. 10.

105. JL 5367; PL 151.289. Here Urban used the verb *antecedere*, which could indicate a superiority of rank or dignity, without jurisdictional implications.

106. Cf. ROBINSON, *Authority and Resistance* 138, who considers the passage "tententious". But see Alfons BECKER, *Papst Urban II. (1088-1099)*, MGH Schriften 19 (2 parts), Stuttgart, 1964- , 1.227, who rightly explains Urban's assertion of authority as "ganz im geistig-moralischen Bereich".

107. Carl ERDMANN, ed., *Die Briefe Heinrichs IV.*, MGH Deutsches Mittelalter 1, Leipzig, 1937, 19, No. 13; the *dictator* responsible for this letter was Gottschalk of

Aachen. With its innovative treatment of the important and problematic "two swords" motif, his statement deserves a more extended analysis than this study permits.

108. For a different view of the letter's ecclesiology, cf. ULLMANN, *Growth*, 345-48.

109. Text: MGH LdL 2.184-284. For a selective list of the pertinent scholarly literature: Werner AFFELDT, *Königserhebung Pippins und Unlösbarkeit des Eides im Liber de unitate ecclesiae conservanda*, DA 25, 1969, 313-46 at 313f, n. 3. The *Liber de unitate* may have influenced Sigebert of Gembloux; Jutta BEUMANN, *Sigebert von Gembloux und der Traktat de investitura episcoporum*, Vorträge und Forschungen, Sonderband 20, Sigmaringen, 1976, 60-75. But apart from this, the work apparently remained unknown to contemporaries.

110. *Liber de unitate* (hereafter: *Ldu*), 1.1, MGH LdL 2.185.16. Though the author mentions "scripta", he evidently used only the letter of 1081.

111. *Ldu* 1.3, *ibid.*, 186.36f.

112. *Ldu* 1.8, *ibid.*, 194.28-195.26; SCHIEFFER, DA 28, 1972, 365f.

113. *Ldu* 1.8-9, 2.15, MGH LdL 2.195.42-199.11, 228.34-39.

114. AFFELDT, DA 25, 1969, 313-46.

115. On Gelasius's influence: Zelina ZAFARANA, *Ricerche sul "Liber de unitate ecclesiae conservanda"*, *Studi medievali*, ser. 3a, 7, 1966, 617-700 at 691-97.

116. The editor, W. SCHWENKENBECHER, had understandable difficulties in distinguishing between the author's close paraphrases and his often rather free quotations. For some additions to and a correction of the editor's identifications, see ZAFARANA, *Studi medievali*, ser. 3a, 7, 1966, 691, n. 1; two excerpts attributed to Gelasius in the *Ldu* are of uncertain origin. The author's other principal authorities were Augustine (quoted slightly more often than Gelasius), Cyprian, and Gregory I (both cited less frequently). Though direct use of the *Tomus* was rare, the *Ldu* was not the only publicistic treatise that cited it; but cf. ZAFARANA, 693, n. 13. As surmised by ZAFARANA, 664, it is likely that the author found the text in the *Collectio Quesnelliana*.

117. The passage in the *Tomus* is relatively short (SCHWARTZ, 14.5-23): *Ldu* 1.3, MGH LdL 2.186.39-187.1; *Ldu* 2.15, *ibid.* 225.45-226.8, 230.11-13, 230.21-25, 230.25-34; *Ldu* 2.26, *ibid.* 248.26-29. In addition, the author quoted five times from other parts of the *Tomus*.

118. For the quotation of "Duo sunt": *Ldu* 2.15, *ibid.* 225.44f; the subsequent quotation from the *Tomus* follows without a break. For echoes of "Duo sunt": *Ldu* 1.3, *ibid.* 186.36f, 187.2f; *Ldu* 2.15, *ibid.* 228.40f, 231.6-8. One could easily cite as many examples of the *Tomus*'s influence.

119. *Ldu* 2.20, *ibid.* 237.3f.

120. *Ldu* 1.12, 12, *ibid.* 200f, 204.

121. *Ldu* 2.15, 2.26, *ibid.* 231.6-8, 248.23f.

122. *Ldu* 2.15, *ibid.* 230.35-37.

123. *Tractatus de regia potestate et sacerdotali dignitate*, MGH LdL 2.466-94. Hugh's use of the duality *regia potestas* and *sacerdotalis dignitas* (prol., *ibid.* 466.21) is itself an adaptation from the Gelasian tradition; see Urban II's diction in JL 5367.

124. *De regia potestate* 1.1, MGH LdL 2.467.25-28.

125. *Idem* 2.1, *ibid.* 483.9f, 485.7f.

126. *Idem* prol., 1.13, 2.1, *ibid.* 466.20f, 482.1-6, 483.9-20, 485.10f.

127. *Idem* 1.2, *ibid.* 468.22-24. Though there are no grounds for assuming that Hugh had read the *Tomus*, he was evidently familiar either with Nicholas I's text borrowed from the *Tomus*, or more probably, with Peter Damiani's reworking of the same idea (which he almost certainly took from Nicholas) in his *Disceptatio synodalis* (MGH LdL 1.93).

128. *De regia potestate* prol., MGH LdL 2.466.34-38.

129. *Idem* 1.2, *ibid.* 468.18-22; prol., *ibid.* 466.27f.

130. *Idem* 1.3, *ibid.* 468.27-37.

131. It can be traced back to Ambrosiaster in the fourth century; Ernst H. KANTOROWICZ, *The King's Two Bodies: A Study in Mediaeval Political Theology*, Princeton, 1957, 89, n. 7, 91, 161.

132. *Adversus simoniacos* 3.21, MGH LdL 1.225.28f.

133. In J10, however, he based a diametrically opposed position on "Duo sunt".

134. J28, MGH LdL 3.684.45-685.2 (PELLENS, 222). For an almost identical text: J24, MGH LdL 3.663.25-28 (PELLENS, 198). The wording of the Gelasian quotations is the same as in J10.

135. J24, J28, MGH LdL 3.663.42f, 684.43-45 (PELLENS, 199, 222).

136. J24, MGH LdL 3.668.42-669.2 (PELLENS, 137).

137. J24, MGH LdL 3.663.14-25 (PELLENS, 198).

138. J24, MGH LdL 3.664.12f (PELLENS, 199). The complex christological aspects of the Anonymous's argument can be mentioned here only in passing; see WILLIAMS, *Norman Anonymous*, 127-32, 161-85, and KANTOROWICZ, *King's Two Bodies*, 42-61.

139. J28, MGH LdL 3.685.33-37 (PELLENS, 224).

140. J24, J28, MGH LdL 3.667.41-668.29, 685.40-42 (PELLENS, 135f, 224). But the investiture confers neither *ordo* nor *ius sacerdotii* nor *sacerdotales gratiae*—that is, no sacramental powers. The Anonymous denied that a bishop's regalian jurisdiction (acquired through his investiture by the king) can be distinguished from a purely ecclesiastical jurisdiction. Note his claim that the *claves regni celorum* pertain more to the king than to the bishop, and his discussion of the "power of the keys" (J24, MGH LdL 3.672.11-44; PELLENS, 145f); WILLIAMS, *Norman Anonymous*, 192f. For just as the Anonymous insisted that governance over souls cannot be separated from governance over bodies (J24, MGH LdL 3.663.29-664.3; PELLENS, 198f), he asserted that there is only one form of *potestas* in king and bishop alike, and therefore only one "key".

141. J28, MGH LdL 3.685.38-40 (PELLENS, 224).

142. J24, MGH LdL 3.667.27-29 (PELLENS, 135); WILLIAMS, *Norman Anonymous*, 182-85.

143. J24, MGH LdL 3.668.29-33 (PELLENS, 136). On the episcopate as a *sacerdotium regale*, see R. L. BENSON, *The Bishop-Elect: A Study in Medieval Ecclesiastical Office*, Princeton, 1968, 297-302.

SUMMARY

The concepts of *auctoritas* and *potestas* and the doctrine of the separation of powers appear in the writings of Pope Gelasius I (492-496), then in the Gelasian tradition of thought and language from the eighth to the twelfth centuries. Though the original meaning of Gelasius's doctrine was not forgotten, during the next two decades thinkers also used Gelasius's writings to justify papal theocracy and royal theocracy.

RÉSUMÉ

Les concepts d'*auctoritas* et de *potestas* ainsi que la doctrine de la séparation des pouvoirs apparaissent dans les écrits du pape Gélase I^{er} (492-496). On les retrouve ensuite dans la tradition de pensée et le langage gélasiens du VIII^e jusqu'au XII^e siècle. Bien que le sens originel de la doctrine gélasienne n'ait pas alors été oublié, les penseurs des deux décennies suivantes utilisèrent les écrits de Gélase pour justifier à la fois une théocratie papale et une théocratie royale.